

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1614 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

JETHABHAI G THIRGAR

Versus

STATE OF GUJARAT

Appearance:

MR SV RAJU for Petitioners
Ms Manisha Lavkumar, AGP, for Respondent No. 1
MR MC BAROT for Respondent No. 4
MR HS MUNSHAW for Respondent No. 5

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 16/08/1999

ORAL JUDGEMENT

In this petition under Article 226 of the Constitution the petitioners had applied for the post of Extension Officer (Cooperative) pursuant to the advertisement issued by respondent no.2 - Gujarat Panchayat Service Section Board. The petitioners were selected and their names figured at serial nos.3 and 9 in

the select list.

2 The petitioners made a grievance in this petition that though they were selected, they were not being offered the post of Extension Officer (Cooperative). In the affidavit-in-reply dated 27.6.1986 filed by the Secretary of the Board it was stated that the petitioners belonged to the reserved category and that the Board sends the names of the selected candidates to different District Panchayats depending upon their requirement for different categories like Scheduled Caste, Scheduled Tribe and non-reserved categories. It was further stated in the reply affidavit that as and when the District Panchayat calls for the recommendations of the Board, the petitioners' names should be recommended within one year from the date of the select list prepared by the Board i.e. on or before 8.7.1986.

3 At the hearing of the petition today, the learned counsel for the petitioners states that the petitioner no.2 has already been appointed during the pendency of the petition but he is not in a position to state whether petitioner no.1 has been offered any employment as petitioner no.1 is not residing at the address mentioned in the cause-title. The learned AGP appearing for the respondent no.1 has also no instructions in the matter.

4 Considering the fact that the petitioner no.2 has already been appointed and the petitioner no.1 does not seem to be interested in prosecuting this petition as transpires from the aforesaid statement of the learned counsel for the petitioner, this petition is disposed of without entering into the merits of the controversy raised in the petition.

Liberty to apply in case of difficulty.

Rule is discharged subject to the above liberty.

(mohd)